

Message

From: McCabe, Janet [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C6014E2E039B4EDEA04E1942CD86D68D-MCCABE, JAN]
Sent: 3/26/2022 5:00:49 PM
To: Macedonia, Jennifer [Macedonia.Jennifer@epa.gov]
Subject: RE: E&E News - Will Biden use the Defense Production Act to boost mining?

Thanks, Jennifer

From: Macedonia, Jennifer <Macedonia.Jennifer@epa.gov>
Sent: Friday, March 25, 2022 2:22 PM
To: Cassady, Alison <Cassady.Alison@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>
Cc: Arroyo, Victoria <Arroyo.Victoria@epa.gov>
Subject: FW: E&E News - Will Biden use the Defense Production Act to boost mining?

FYSA

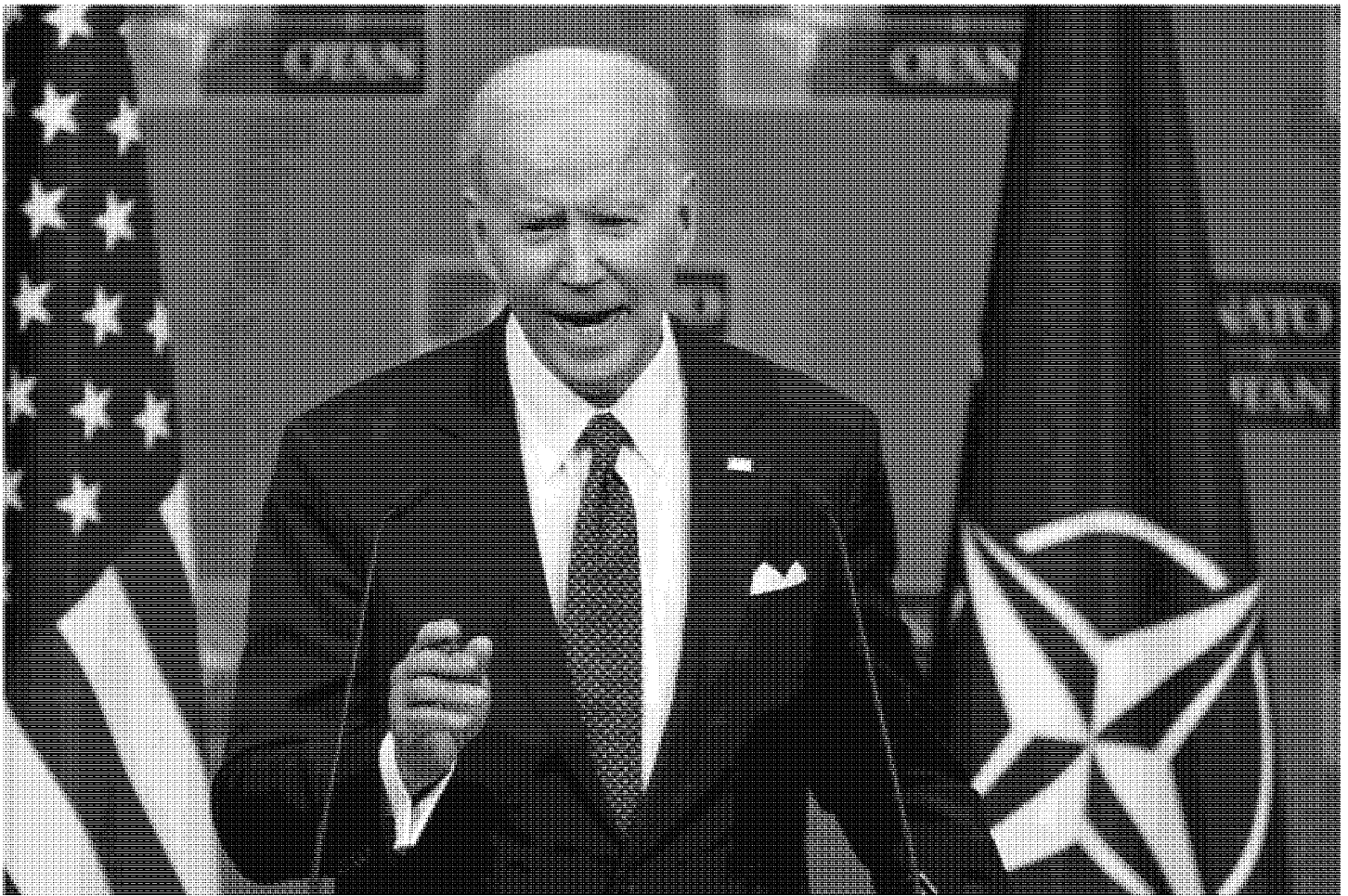
From: Efron, Brent <Efron.Brent@epa.gov>
Sent: Friday, March 25, 2022 2:02 PM
To: McGrath, Patricia <mcgrath.patricia@epa.gov>; Macedonia, Jennifer <Macedonia.Jennifer@epa.gov>; Torma, Tim <Torma.Tim@epa.gov>; Grosshans, Jon <grosshans.jon@epa.gov>
Subject: E&E News - Will Biden use the Defense Production Act to boost mining?

<https://subscriber.politicopro.com/article/eenews/2022/03/25/will-biden-use-the-defense-production-act-to-boost-mining-00020487>

Will Biden use the Defense Production Act to boost mining?

A bipartisan group of senators has asked President Biden to invoke the Cold War-era law to ramp up domestic production of minerals needed for electric batteries. Environmentalists are keeping a close eye on the possibility.

03/25/2022 01:37 PM EDT



President Biden speaking yesterday at NATO headquarters in Brussels. Environmentalists are concerned about the possibility the Biden administration will invoke the Defense Production Act to boost domestic minerals mining. Markus Schreiber/AP Photo

GREENWIRE | Environmentalists are growing nervous that President Biden may invoke a Cold War-era program to fund more mining at home.

On Capitol Hill, pressure has grown in recent weeks for Biden to invoke a 1950 law — the Defense Production Act — in order to address rising energy prices and inflation. Progressives asked for Biden to use the DPA to mandate more renewable energy projects, while Sen. Joe Manchin (D-W.Va.) has asked whether the law could be used to spur more oil and gas production.

But environmental advocates are particularly focused on recent evidence that the Biden administration is weighing a separate request by Manchin and some GOP lawmakers this month to invoke the 1950 program to bolster domestic mineral production and help move U.S. supply chains away from Chinese markets.

Invoking the Defense Production Act allows the president to use a wide range of authorities to prioritize the production of goods considered in the national interest. Under the Trump administration, the Defense Department began purchasing minerals key to industrial defense purchases citing the law, and Biden has used it to expedite production of medical equipment during the Covid-19 pandemic.

In this case, the argument is that domestic mining must be increased to feed a low-carbon economy due to resource constraints getting worse due to Russia's war on Ukraine. But environmentalists want the president to remember that there will be consequences from using the law to boost mining.

A growing mining industry would likely affect front-line communities, including lands sacred to Indigenous people. Most mining takes place out West, and according to one estimate by finance company MSCI, the majority of U.S. reserves of cobalt, copper, lithium and nickel are located within 35 miles of Native American reservations.

“The conservation community is actually very concerned about what this might turn out to be,” said Kelly Fuller, energy and mining campaign director for the Western Watersheds Project.

On March 11, Manchin and Republican Sens. Lisa Murkowski of Alaska, Jim Risch of Idaho and Bill Cassidy of Louisiana wrote to Biden asking that he invoke the Defense Production Act to “accelerate domestic production” of metals key to making electric vehicle batteries: graphite, manganese, cobalt, nickel and lithium.

Allowing the nation to depend on other countries for its minerals “is a growing threat to U.S. national security,” the senators wrote, “and we need to take every step to address it.”

“We stand prepared to work with you in a bipartisan manner to take on this emerging crisis. The authorities provided to you as President under the Defense Production Act will help to ensure that America’s critical mineral supply chains are strong, responsibly produced, and ethically sourced,” they wrote.

The Intercept reported yesterday that the Biden administration has begun drafting an executive order that would invoke the DPA to “ramp up” mineral production at home, and “would declare that ‘ensuring [a] robust, resilient, and sustainable domestic industrial base to meet the requirements of the clean energy economy is essential to our national security.’” The article referred to the draft as being “pre-decisional.”

A mining industry source in touch with the Biden administration told E&E News that the letter from Murkowski and Manchin was “positively received” by the White House. While the source, who spoke on condition of anonymity, believed the idea was “still a jump ball,” they said an “executive order” on the issue could arrive in the “next few months.”

A source in the advocacy space familiar with the Murkowski-Manchin request said their contacts in government “suggested it’s real enough the conservation community should express some discontent, so the president knows how we feel.”

“That suggests to me the DPA decision is real,” said the source, who declined to be named because of the sensitivity of the discussions. “It’s pre-decisional, maybe. But it’s real.”

Neither source said they had seen a copy of the draft executive order referenced in the *Intercept* story. Ashley Burke, a spokesperson for the National Mining Association, said the trade group had no “insight into the rumored executive order.”

The White House did not respond to requests for comment.

In terms of the metals markets, the senators’ request could not have come at a more opportune time.

Metals markets saw huge price spikes last month after Ukraine was invaded by Russia, a massive resource hub. Price volatility from the fallout of the war could stall climate progress in the United States and Europe, while exacerbating inflation of consumer prices (Greenwire, Feb. 24; Greenwire, March 10).

The senators’ letter also followed a year of officials in the Biden administration raising concerns that more mining will be needed to build the cleaner-energy future that Biden promised on the campaign trail.

According to the International Energy Agency, existing mines around the world could only provide 50 percent of the lithium and cobalt that will be needed if countries rapidly convert their economies to lower-carbon technologies in line

with the 2015 Paris Agreement on climate change. The same is true for copper, which would only meet 80 percent of the world's needs.

A recent Energy Department assessment indicated support in the Biden administration for using the Defense Production Act to supply these metals for EVs and renewables.

The review, which was released in February, found that the United States has “untapped potential to support greater domestic production” for some of these materials, like lithium and rare earth minerals. The DOE assessment recommended a number of policy fixes to the problem, such as obtaining “appropriate funding” to use the Defense Production Act “to support domestic critical material supply.”

Biden has also tried to speak to concerns about mining in Indigenous communities, having pledged on the campaign trail to “restore Native lands.” He also launched a working group to hear from mining-affected communities about what changes they would like to see to existing rules and regulations on the mining industry (Energywire, Feb. 22).

Yet the president has so far disappointed many environmental activists on mining issues, from his administration's arguing against tribes in litigation over a copper mine in Arizona to the Energy Department's appearing to support more domestic uranium mining (Greenwire, May 21, 2021; Greenwire, March 1).

Randi Spivak, public lands program director for the Center for Biological Diversity, told E&E News that she understands how it could be “tempting” for Biden to grant this request because “Manchin in particular holds a lot of cards.” But she urged the president to remember that “the Biden administration also holds a lot of cards.”

“We trust that the Biden administration will uphold their simultaneous pledge to move to renewable energy in a way that is responsible to the environment, communities and tribes,” Spivak said.

If Biden presses ahead with an executive order expanding domestic mining through the Defense Production Act — and particularly if that order calls out the critical minerals listed in the March 11 letter — it could be widely seen as another capitulation from the administration to Manchin and Murkowski.

The two Senate swing votes have emerged over the past 14 months as wielding significant power over Biden's environmental agenda, such as by rejecting some key Biden nominees.

At the moment, the administration has to decide how it will position itself following Manchin's announcement that he will hold off on moving the nomination of Laura Daniel-Davis, up for assistant Interior secretary for lands and mineral management, through the Senate Energy and Natural Resources Committee — which he chairs — until he receives “clarity” on the administration's oil and gas leasing plans.

Keeping Manchin happy could also be an advantage as the administration hopes to resume negotiations on a slimmed-down climate and social spending package, formerly known as the “Build Back Better Act.”

Meanwhile, Murkowski's vote for Supreme Court Justice Ketanji Brown Jackson would be a major win for the Biden White House.

Reporter Scott Waldman contributed.

Brent Efron

Special Assistant, EPA Office of Policy

He/Him/His | *Why it matters:* mypronouns.org

(202) 815-8884

Message

From: Alex, Cristobal J. EOP/WHO [Ex. 6]
Sent: 3/31/2022 5:44:21 PM
CC: Miller, Jason S. EOP/OMB [Ex. 6]; Dorgelo, Cristin A. EOP/OMB
[Ex. 6] Coari, Sean M. EOP/OMB [Ex. 6] DL EOP Cabinet Affairs
[Ex. 6]
Subject: Talking Points on POTUS' Energy Announcement

Deputy Cabinet Members,

Please see attached and below a fact sheet and topline talking points for the President's energy announcement.

Feel free to reach out with any questions.

Best,
Cristóbal

TOPLINE TALKING POINTS

- Today the President will deliver remarks on the effect of Putin's Price Hike on gasoline prices for American families.
- Prices at the pump are up \$1/gallon since Vladimir Putin accelerated his military buildup. As President Biden has made clear, standing up to Putin's aggression would never be painless – but the President is committed to doing everything in his power to help American families feeling pain at the pump.
- **That's why today, President Biden is announcing a two part plan to bring American families relief.**
- **Part one: President Biden is announcing a historic release from the Strategic Petroleum Reserve – 1M barrels/day for six months - to immediately increase the supply of oil as a wartime bridge to greater domestic production.**
 - These barrels will be a wartime bridge to additional U.S. production, and will immediately shore up global supplies – and we are working to have other countries join us.
- **Today, the President is calling on U.S. producers to put patriotism over profits and produce more in the short-term with the resources they already have, and he is proposing a use-it-or-lose-it policy to incentivize that production.**
 - Many oil and gas companies are doing the right thing by ramping up production, but too many are choosing to make extraordinary profits without investing in more supply. Right now, the oil and gas industry is sitting on 12 million acres of non-producing federal land and approximately 9,000 approved but unused permits.
 - Under the President's plan, companies that sit on unused leases and idle wells on federal land would need to produce or pay a fee.
- **Part two: President Biden will chart a path towards *real* American energy independence by accelerating the clean energy transition – so that we are no longer reliant on foreign oil.**
 - President Biden is calling on Congress to pass his landmark plan to speed the transition to clean energy that is made in America. Implementing President Biden's climate action plans would save Americans more than \$900/year in gasoline from EV adoption, save Americans \$500/year from using clean electricity to power homes and create millions of good-paying union jobs
 - But the President isn't waiting on Congress to act. This week alone, the President is announcing:
 - **He will use DPA authority to secure American production of critical materials necessary for clean energy here at home** which will help end our long-term reliance on

China and other countries for these minerals/materials while respecting labor, the environment, and Tribal nations

- Allocate \$3.2 billion to states for weatherization from the Bipartisan Infrastructure Law
 - ten times the historical funding levels
 - Propose strong energy efficiency standards that will save consumers hundreds of dollars in lower energy costs

Message

From: Macedonia, Jennifer [Macedonia.Jennifer@epa.gov]
Sent: 2/3/2022 3:11:00 PM
To: Monger, Jon [Monger.Jon@epa.gov]
CC: McCabe, Janet [McCabe.Janet@epa.gov]
Subject: FW: Friday DC on Domestic Mining
Attachments: 2022-02-03_Readhead_Critical-Minerals-DC.pdf

For your awareness, this attachment was just added as a readahead for Friday's 3-4pm Deputies Meeting. Working on responses to the questions posed.

Ex. 5 Deliberative Process (DP)

Jennifer Macedonia (she/her)
Deputy Associate Administrator for Policy
Office of Policy
U.S. Environmental Protection Agency
202-564-1917
202-641-6988 (mobile)

BRIEFING MEMO

February 2, 2022

MEMORANDUM FOR DEPUTIES

FROM: Sameera Fazili, Deputy Director, National Economic Council
SUBJECT: Readahead for Deputies Committee Meeting on Domestic Mining for
Critical Minerals

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

Message

From: Macedonia, Jennifer [Macedonia.Jennifer@epa.gov]
Sent: 2/10/2022 1:27:59 PM
To: McCabe, Janet [McCabe.Janet@epa.gov]
CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Atkinson, Emily [Atkinson.Emily@epa.gov]; Waterhouse, Carlton [Waterhouse.Carlton@epa.gov]; Arroyo, Victoria [Arroyo.Victoria@epa.gov]
Subject: Materials for 12:30 Pre-brief for NEC discussion on domestic mining
Attachments: EPA NEC mining briefing_20220209.pptx; NEC EPA Feb 11 mining workgroup meeting_talking points_20220209.docx; 2022-02-03_Readhead_Critical-Minerals-DC.pdf; TPs for Domestic Mining DC Feb 4 2022 v2.docx; Domestic Mining { **Ex. 5 Deliberative Process (DP)** }.docx

Attached are draft talking points in preparation for your conversation tomorrow with Sameera. I am meeting with Sameera's staff shortly and may also have an update to share in our pre-brief today.

Ex. 5 Deliberative Process (DP)

Apologies for not getting these materials in the binder yesterday – they will be in your binder for tonight in preparation for your call with Sameera Friday afternoon.

Jennifer

From: McGrath, Patricia <mcgrath.patricia@epa.gov>
Sent: Wednesday, February 9, 2022 10:24 PM
To: Grosshans, Jon <grosshans.jon@epa.gov>; Macedonia, Jennifer <Macedonia.Jennifer@epa.gov>
Subject: materials for pre-briefing with Janet

Hi Jennifer and Jon –

Attached are talking points for the meeting tomorrow and the PowerPoint presentation (I made a couple edits on Jon's last version).

Let me know if more is needed, or revisions.

Patty

Patty McGrath | Mining Advisor

U.S. Environmental Protection Agency, Region 10

1200 Sixth Avenue, Seattle, WA 98101

M/S: 14-D12

Office: (206) 553-6113

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Preparation for February 11 meeting between NEC and EPA on Critical Minerals Domestic Mining

Pre-briefing for Janet McCabe
February 10, 2022

Feb 11 Meeting Agenda

Ex. 5 Deliberative Process (DP)

Talking Points – Organization & Structure

Ex. 5 Deliberative Process (DP)

Talking Points – Organization & Structure

Ex. 5 Deliberative Process (DP)

Talking Points – **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Talking Points – **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: McCabe, Janet [McCabe.Janet@epa.gov]
Sent: 3/31/2022 8:45:13 PM
To: McCabe, Janet [McCabe.Janet@epa.gov]
Subject: mining order

<https://www.whitehouse.gov/briefing-room/presidential-actions/2022/03/31/memorandum-on-presidential-determination-pursuant-to-section-303-of-the-defense-production-act-of-1950-as-amended/>

Janet G. McCabe, Deputy Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
MC1102A, Room 3412WJCN
Washington, DC 20460
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mccabe.janet@epa.gov
She/her/hers

Appointment

From: Joseph, Tresa J. EOP/WHO [Ex. 6]
Sent: 2/3/2022 3:09:15 PM
To: Helper, Susan R. EOP/CEA [Ex. 6]; Flegal, Jane A. EOP/WHO [Ex. 6]
Jorge.santiago@ed.gov; Jordan.Matsudaira@ed.gov; Jennifer.Sjogren@dfc.gov; Sabrian.Bousbar@hhs.gov;
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[Ex. 6]; McCabe, Janet [McCabe.Janet@epa.gov]; Macedonia, Jennifer
[Macedonia.Jennifer@epa.gov]; james.cruse@exim.gov; Stephanie.Deatherage@exim.gov;
rebecca.barnes@gsa.gov; Chang, Frances EOP/WHO [Ex. 6]; Reynolds, Liz B. EOP/WHO
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EOP/OMB [Ex. 6]; Linden, Michael S. EOP/OMB [Ex. 6]; Nelson,
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A. EOP/WHO [Ex. 6]; Atkinson, Emily [Atkinson.Emily@epa.gov];
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john.pickel@hq.dhs.gov; Shikany, Ann (OST) [ann.shikany@dot.gov]; Baker, Carrie L (OST) [Carrie.L.Baker@dot.gov];
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[Akshay.Venugopalan@hhs.gov]; Roberts, Remi (OS/IOS) [Remi.Roberts@hhs.gov]; Griffiths, Zachary E. EOP/NSC
[Ex. 6]
CC: Hale, Jonathan S [HaleJS@state.gov]; michael.thompson@gsa.gov; Matheny, Jason G. EOP/OSTP
[Ex. 6]; Friedersdorf, Lisa E. EOP/OSTP [Ex. 6]; Mitchell,
Kellie [MitchellK1@state.gov]; Toloui, Ramin [TolouiR@state.gov]; Deputy Scheduler (OST)
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[Dawn.Oconnell@hhs.gov]; Gallegos, Justina W. EOP/WHO [Ex. 6]; Jacquez, Alex S.
EOP/WHO [Ex. 6]; Christiansen, Sean M. EOP/WHO
[Ex. 6]; Barkett, John M. EOP/WHO [Ex. 6]; MacHardy, Sonia
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[Ex. 6]; aavetisean@usaid.gov; David Hayes [Ex. 6]; Negron,
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[osd.pentagon.ousd-a-s.cal.transition-calendar@mail.mil]; kvargas@usaid.gov; Marten, Cindy
[Cindy.Marten@ed.gov]; Grippo, Lawrence [GrippoL@state.gov]; McBroom, Jessica A. EOP/NSC
[Ex. 6]; Braun, Diana [BraunD@state.gov]; Roza, Sebastian [Sebastian.Roza@ed.gov];
Miller, Danielle SES OSD OUSD A-S (USA) [danielle.miller18.civ@mail.mil]
Subject: [Ex. 5 Deliberative Process (DP)]
Attachments: [Ex. 5 Deliberative Process (DP)]
Location: https:// [Ex. 6]
Start: 2/4/2022 4:00:00 PM
End: 2/4/2022 5:00:00 PM
Show Time As: Tentative

Recurrence: (none)

2/3 Please see attached for read ahead materials and an updated agenda below.

AGENDA:

Ex. 5 Deliberative Process (DP)

VI. Conclusion (5 minutes)

1/31 update: Hi all—due to some scheduling conflicts, we are shifting the timing of this to February 4, 11:00-12:00pm. Apologies for any inconvenience. Please kindly provide names of participants to Tresa Joseph
Ex. 6 NLT OOB Thursday, February 3; additional materials, including a more detailed agenda, will be sent by same.

##

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)). Please kindly provide names of participants to Tresa Joseph
Ex. 6 NLT OOB Thursday, February 3; additional materials, including a more detailed agenda, will be sent by same.

PARTICIPANTS

NEC
NSC
DPC
CPO
CEA
USTR
OSTP
GSA
OMB
USDA

DOT
DHHS
DHS
DOC
DOD
DOE
DOI
DOL
DOS
Treasury
Dept of Education
DNI
CIA
DFC
EPA
EXIM
SBA
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Ex. 6

Ex. 5 Deliberative Process (DP)

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International

- *Ministerial-Level International Summit:* Secretary of State Antony Blinken and Secretary of Commerce Gina Raimondo will hold a follow-on ministerial-level convening of international partners, members of the private sector, and other stakeholders to discuss next steps in securing global supply chain resilience on [DATE]. This will be a follow up to the October 31 Summit held by President Biden (link – summit fact sheet, Chairs’ Statement).
- *USTR Stands Up Trade Task Force:* The Office of the U.S. Trade Representative formed an interagency Supply Chain Trade Task Force to consider trade policy actions that support U.S. supply chain resilience, including cooperation with trading partners and responses to unfair trade practices that affect U.S. supply chains.

Message

From: Utech, Dan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=355649AB49D340E7AB667E52A9CEE6A9-UTECH, DAN]
Sent: 4/10/2022 11:35:00 PM
To: Ali Zaidi [Ex. 6]
CC: Kamin, David C. EOP/WHO [Ex. 6]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Cassady, Alison [Cassady.Alison@epa.gov]; Berner, Kate K. EOP/WHO [Ex. 6]; Viswanathan, Vivek EOP/WHO [Ex. 6]; Hansmann, Lisa S. EOP/WHO [Ex. 6]; Vahlsing, Candace M. EOP/OMB [Ex. 6]; Brown, Austin L. EOP/WHO [Ex. 6]
Subject: Re: Draft Fact Sheet
Attachments: Biofuels Fact Sheet 4.10.22 7pm.docx

Thanks all. [Ex. 5 Deliberative Process (DP)]

On Apr 10, 2022, at 6:57 PM, Zaidi, Ali A. EOP/WHO [Ex. 6] wrote:

+

From: Kamin, David C. EOP/WHO
Sent: Sunday, April 10, 2022 6:55 PM
To: Utech, Dan <Utech.Dan@epa.gov>
Cc: Zaidi, Ali A. EOP/WHO [Ex. 6]; Berner, Kate K. EOP/WHO [Ex. 6]; Viswanathan, Vivek EOP/WHO [Ex. 6]; Hansmann, Lisa S. EOP/WHO [Ex. 6]
Subject: Draft Fact Sheet

Dan –

Draft fact sheet attached. Edits welcome.

David

**Using Homegrown Biofuels to Address Putin's Price Hike at the Pump and Lower Costs
for American Families**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Utech, Dan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=355649AB49D340E7AB667E52A9CEE6A9-UTECH, DAN]
Sent: 4/11/2022 11:36:41 AM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Dunham, Sarah [Dunham.Sarah@epa.gov]; Hoffer, Melissa [Hoffer.Melissa@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]; Prieto, Jeffrey [Prieto.Jeffrey@epa.gov]; Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Dubey, Susmita [dubey.susmita@epa.gov]
CC: Nunez, Alejandra [Nunez.Alejandra@epa.gov]
Subject: RE: Draft Fact Sheet
Attachments: Biofuels Fact Sheet 4.10.22 7pm jg du.docx

Thanks all – my proposal on top of Joe's: **Ex. 5 Deliberative Process (DP)** I'll see a quick pre-meet for those who can make it.

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Monday, April 11, 2022 6:23 AM
To: Utech, Dan <Utech.Dan@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Dubey, Susmita <dubey.susmita@epa.gov>
Cc: Nunez, Alejandra <Nunez.Alejandra@epa.gov>
Subject: RE: Draft Fact Sheet

Here's a start, reflecting comments Sarah shared with me last night and a few of my own. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Sunday, April 10, 2022 7:38 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Subject: Fwd: Draft Fact Sheet

Ex. 5 Deliberative Process (DP)

Begin forwarded message:

From: "Kamin, David C. EOP/WHO" <Ex. 6>
Date: April 10, 2022 at 6:55:42 PM EDT
To: "Utech, Dan" <Utech.Dan@epa.gov>
Cc: Ali Zaidi <Ex. 6>, "Berner, Kate K. EOP/WHO" <Ex. 6>, "Viswanathan, Vivek EOP/WHO" <Ex. 6>, "Hansmann, Lisa S. EOP/WHO"

Ex. 6

Subject: Draft Fact Sheet

Dan –

Draft fact sheet attached. Edits welcome.

David

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

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Message

From: Utech, Dan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=355649AB49D340E7AB667E52A9CEE6A9-UTECH, DAN]
Sent: 4/11/2022 1:51:00 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
CC: Hoffer, Melissa [Hoffer.Melissa@epa.gov]; Prieto, Jeffrey [Prieto.Jeffrey@epa.gov]
Subject: new version for you to edit
Attachments: Biofuels Fact Sheet 4.11.22.docx

Joe —

Ex. 5 Deliberative Process (DP)

Using Homegrown Biofuels to Address Putin's Price Hike at the Pump and Lower Costs
for American Families

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP)

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Message

From: Utech, Dan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=355649AB49D340E7AB667E52A9CEE6A9-UTECH, DAN]
Sent: 4/11/2022 4:44:21 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]
CC: Dunham, Sarah [Dunham.Sarah@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]
Subject: RE: Fact Sheet with just OAR bullets added
Attachments: Bioefuels Fact Sheet 4.11.22.docx

For the 1245 let's use this

From: Goffman, Joseph <Goffman.Joseph@epa.gov>
Sent: Monday, April 11, 2022 12:43 PM
To: Utech, Dan <Utech.Dan@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Cc: Dunham, Sarah <Dunham.Sarah@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>
Subject: Fact Sheet with just OAR bullets added

Ex. 5 Deliberative Process (DP)

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

Message

From: Utech, Dan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=355649AB49D340E7AB667E52A9CEE6A9-UTECH, DAN]
Sent: 4/11/2022 4:59:04 PM
To: Kamin David Who [Ex. 6]; Berner, Kate EOP/WHO [Ex. 6]; Ali Zaidi [Ex. 6]
CC: Goffman, Joseph [Goffman.Joseph@epa.gov]; Prieto, Jeffrey [Prieto.Jeffrey@epa.gov]; Hoffer, Melissa [Hoffer.Melissa@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]
Subject: fact sheet
Attachments: Bioefuels Fact Sheet 4.11.2022 v2.docx

Thanks for the opportunity to review. [Ex. 5 Deliberative Process (DP)]

Ex. 5 Deliberative Process (DP)

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Message

From: Utech, Dan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=355649AB49D340E7AB667E52A9CEE6A9-UTECH, DAN]
Sent: 4/11/2022 6:28:48 PM
To: Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]; Snyder, Rodney [Snyder.Rodney@epa.gov]
Subject: FW: fact sheet
Attachments: Biofuels Fact Sheet 4.11.2022_150pm CLEAN.docx

For discussion at 4

From: Hansmann, Lisa S. EOP/WHO <[REDACTED] Ex. 6>
Sent: Monday, April 11, 2022 2:06 PM
To: Kamin, David C. EOP/WHO <[REDACTED] Ex. 6>; Viswanathan, Vivek EOP/WHO <[REDACTED] Ex. 6>; Utech, Dan <Utech.Dan@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Cc: Berner, Kate K. EOP/WHO <[REDACTED] Ex. 6>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; English, Leandra EOP/WHO <[REDACTED] Ex. 6>; Thomas, Maggie M. EOP/WHO <[REDACTED] Ex. 6>; Ali Zaidi <[REDACTED] Ex. 6>
Subject: RE: fact sheet

Ex. 5 Deliberative Process (DP)

Lisa

From: Kamin, David C. EOP/WHO
Sent: Monday, April 11, 2022 1:01 PM
To: Hansmann, Lisa S. EOP/WHO <[REDACTED] Ex. 6>; Viswanathan, Vivek EOP/WHO <[REDACTED] Ex. 6>
Cc: Berner, Kate K. EOP/WHO <[REDACTED] Ex. 6>
Subject: FW: fact sheet

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Monday, April 11, 2022 12:59 PM
To: Kamin, David C. EOP/WHO <[REDACTED] Ex. 6>; Berner, Kate K. EOP/WHO <[REDACTED] Ex. 6>; Zaidi, Ali A. EOP/WHO <[REDACTED] Ex. 6>
Cc: Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Subject: fact sheet

Thanks for the opportunity to review. Ex. 5 Deliberative Process (DP)

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Message

From: Utech, Dan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=355649AB49D340E7AB667E52A9CEE6A9-UTECH, DAN]
Sent: 4/11/2022 10:18:43 PM
To: Katims, Casey [Katims.Casey@epa.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Snyder, Rodney [Snyder.Rodney@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Conger, Nick [Conger.Nick@epa.gov]
CC: Goffman, Joseph [Goffman.Joseph@epa.gov]; Niebling, William [Niebling.William@epa.gov]; Enobakhare, Rosemary [Enobakhare.Rosemary@epa.gov]
Subject: final wh fact sheet
Attachments: Using Homegrown Biofuels to Address Putin's Price Hike at the Pump and Lower Costs for American Families.pdf

Casey/Maria/Rod - Attached is the final WH fact sheet, embargoed for 5 am. Final EPA desk statement and Q and A to follow; OAR has the pen on that document.

Using Homegrown Biofuels to Address Putin's Price Hike at the Pump and Lower Costs for American Families

The President is committed to doing everything he can to address the pain Americans are feeling at the pump as a result of Putin's Price Hike. The Administration's strategy to spur the development of homegrown biofuels is critical to expanding Americans' options for affordable fuel in the short-term and to building real energy independence in the long-term by reducing our reliance on fossil fuels. Today, the President is announcing new steps to achieve that goal by increasing fuel supplies, offering more consumer choices, and reducing gasoline prices for Americans.

Expanding Americans' Access to Affordable Fuel Options This Summer

The President will announce today that the EPA Administrator is planning to allow E15 gasoline—gasoline that uses a 15 percent ethanol blend—to be sold this summer. This is the latest step in expanding Americans' access to affordable fuel supply and bringing relief to Americans suffering from Putin's Price Hike at the pump.

- To make E15 available in the summer, the Environmental Protection Agency (EPA) is planning to issue a national, emergency waiver. Without this action, E15 cannot be used in most of the country from June 1st to September 15th, and the EPA plans to take final action to issue the emergency waiver closer to June 1st. E15 is currently offered at 2,300 gas stations in the country, where it can serve as an important – and more affordable – source of fuel.
- An emergency waiver can help increase fuel supplies, give consumers more choice to get lower prices, and provide savings to many families. At current prices, E15 can save a family 10 cents per gallon of gas on average, and many stores sell E15 at an even greater discount. For working families – families eager to travel and visit their loved ones – that will add up to real savings. Allowing higher levels of blending will also reduce our dependency on foreign fuels as we rely more heavily on home-grown biofuels. This will help us bridge towards real energy independence.
- In implementing this emergency fuel waiver, EPA will work with states across the country to ensure there are no significant air quality impacts through the summer driving season.
- EPA is also considering additional action to facilitate the use of E15 year-round, including continued discussions with states who have expressed interest in allowing year-round use of E15 and considering modifications to E15 fuel pump labeling.

The announcements today build on the steps the President has taken in recent weeks to address the Putin Price Hike and bring relief to Americans at the gas pump.

- President Biden worked with allies and partners through the International Energy Agency to authorize a historic release from petroleum reserves around the world, putting 240 million barrels of oil on the market in the next six months – more than one million barrels per day.
- The President called for a “use it or lose it” policy to make oil companies pay fees on wells from their leases that they haven’t used in years and on acres of public lands that they are holding without producing.
- The President put forward concrete steps to promote real independence from fossil fuels by accelerating the transition to clean energy, ranging from incentives for electric vehicles to Defense Production Act authority for large capacity batteries to a new partnership to reduce European reliance on natural gas.

Enabling Energy Independence by Boosting Homegrown Biofuels

The President believes that the actions of a dictator half a world away should not impact what families pay at the pump here at home. Today’s actions also reinforce the Biden-Harris Administration’s goal of achieving real energy independence and commitment to a long-term strategy to spur smart development and adoption of sustainable, homegrown fuels.

The Administration has announced the following key steps:

- **\$700 Million for Biofuels Producers:** As part of the Pandemic Assistance for Producers initiative, USDA will provide up to \$700 million in funding through a new Biofuel Producer Program. The Program will support agricultural producers that rely on biofuels producers as a market for their agricultural products. By making payments to producers of biofuels, the funding will help maintain a viable and significant market for such agricultural products. Producers can expect awards before the end of April.
- **\$5.6 million for Infrastructure for Renewable Fuels through the Higher Blends Infrastructure Incentive Program:** To expand the infrastructure for renewable fuels derived from U.S. agricultural products, USDA is announcing \$5.6 million in grants through the Higher Blends Infrastructure Incentive Program. The purpose of the program is to significantly increase the sales and use of higher blends of ethanol and biodiesel. The awards being announced today will support 9 projects in 7 states.
- **\$100 Million for Biofuels Infrastructure:** Investing in biofuels infrastructure ensures that market opportunities are available for sustainable fuel sources—and that those sustainable fuels can reach consumers. That is why USDA announced \$100 million in new funding for grants for biofuels infrastructure. The funding will provide grants to refueling and distribution facilities for the cost of installation, retrofitting or otherwise upgrading of infrastructure required at a location to ensure the environmentally safe availability of fuel containing ethanol blends of E15 and greater or fuel containing biodiesel blends B-20 and greater. USDA will also make funding available to support

biofuels for railways as a means of assisting with supply chains and helping to reduce costs for consumer goods and transportation.

- **Spurring a New Market in Sustainable Aviation Fuels:** The Administration announced new actions to support sustainable aviation with a focus on low-carbon fuels that will create economic opportunity for agricultural communities. This included:
 - A new Sustainable Aviation Fuel Grand Challenge to inspire the dramatic increase in the production of sustainable aviation fuels to at least 3 billion gallons per year by 2030;
 - New and ongoing funding opportunities to support sustainable aviation fuel projects and fuel producers totaling up to \$4.3 billion; and
 - An increase in R&D activities to demonstrate new technologies that can achieve at least a 30% improvement in aircraft fuel efficiency.
- **Expanding Use of Canola Oil:** Today, EPA is also announcing efforts to expand supply and choices for other forms of fuel, such as diesel and jet fuel. The Agency is proposing a new approval for canola oil that will add new pathways for fuels to participate in the Renewable Fuel Standard program to provide renewable diesel, jet fuel and other fuels. This action demonstrates EPA's commitment to approving new petitions for renewable fuels that can provide greenhouse gas benefits as well as reduce reliance on petroleum fuels.

These actions are critical to building real energy independence and protecting Americans from volatile prices by reducing our reliance on fossil fuels. Together, they will create good-paying jobs, support American agriculture and manufacturing, and accelerate the transition to clean energy.

Message

From: Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]
Sent: 3/31/2022 3:11:00 PM
To: Utech, Dan [Utech.Dan@epa.gov]
Subject: Fwd: WH info for later today
Attachments: Updated Energy Fact Sheet 3.31.22 FINAL.pdf; Energy TPs.docx; 2022-03-31_Talking-Points_QA_Critical-Minerals-DPA-PD_vF.docx

Sent from my iPhone

Begin forwarded message:

From: "Niebling, William" <Niebling.William@epa.gov>
Date: March 31, 2022 at 4:33:03 PM GMT+2
To: External_Stakeholder_Outreach_Group <External_Stakeholder_Outreach_Group@epa.gov>
Subject: WH info for later today

WH factsheet and TPs on energy prices and critical minerals for later today.

=====

William Niebling
Associate Administrator
Office of Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency

FACT SHEET: PRESIDENT BIDEN'S PLAN TO RESPOND TO PUTIN'S PRICE HIKE AT THE PUMP

Americans face rising prices at the pump because of Putin's Price Hike. Since Putin accelerated his military build-up around Ukraine, gas prices have increased by nearly a dollar per gallon. Because of Putin's war of choice, less oil is getting to market, and the reduction in supply is raising prices at the pump for Americans. President Biden is committed to doing everything in his power to help American families who are paying more out of pocket as a result. That is why today, President Biden will announce a two-part plan to ease the pain that families are feeling by increasing the supply of oil starting immediately and achieving lasting American energy independence that reduces demand for oil and bolsters our clean energy economy.

Immediately Increasing Supply

At the start of this year, gas was about \$3.30 a gallon. Today, it's over \$4.20, an increase of nearly \$1. And now, a significant amount of Russian oil is not making it to market. The President banned the import of Russian oil – which Republicans and Democrats in Congress called for and supported. It was the right thing to do. But, as the President said, Russian oil coming off the global market would come with a cost, and Americans are seeing that at the pump.

The first part of the President's plan is to immediately increase supply by doing everything we can to encourage domestic production now and through a historic release from the Strategic Petroleum Reserve to serve as a bridge to greater supply in the months ahead.

Increasing Domestic Production

The fact is that there is nothing standing in the way of domestic oil production. The United States is already approaching record levels of oil and natural gas production. There are oil companies that are doing the right thing and committing to ramp up production now. Right now, domestic production is expected to increase by 1 million barrels per day this year and nearly 700,000 barrels per day next year.

Still, too many companies aren't doing their part and are choosing to make extraordinary profits and without making additional investment to help with supply. One CEO even acknowledged that, even if the price goes to \$200 a barrel, they're not going to step up production.

Right now, the oil and gas industry is sitting on more than 12 million acres of non-producing Federal land with 9,000 unused but already-approved permits for production. **Today, President Biden is calling on Congress to make companies pay fees on wells from their leases that they haven't used in years and on acres of public lands that they are hoarding without producing.** Companies that are producing from their leased acres and existing wells will not face higher fees. But companies that continue to sit on non-producing acres will have to choose whether to start producing or pay a fee for each idled well and unused acre.

Historic Release from the Strategic Petroleum Reserve as a Bridge Through the Crisis

After consultation with allies and partners, the President will announce the largest release of oil reserves in history, putting one million additional barrels on the market per day on average – every day – for the next six months. The scale of this release is unprecedented: the world has never had a release of oil reserves at this 1 million per day rate for this length of time. This record release will provide a historic amount of supply to serve as bridge until the end of the year when domestic production ramps up.

The Department of Energy will use the revenue from the release to restock the Strategic Petroleum Reserve in future years. This will provide a signal of future demand and help encourage domestic production today, and will ensure the continued readiness of the Strategic Petroleum Reserve to respond to future emergencies.

President Biden is coordinating this action with allies and partners around the world, and other countries are expected to join in this action, bringing the total release to well over an average 1 million barrels per day.

Achieving Real American Energy Independence

The United States is the largest oil producer in the world and is a net energy exporter. Despite that, the actions of a dictator half a world away can still impact American families' pocketbooks. The President will announce his commitment to achieving real energy independence – which centers on reducing our dependence on oil altogether.

The President will call on Congress to pass his plan to speed the transition to clean energy that is made in America. His plan will help ensure that America creates millions of good-paying union jobs in clean, cutting-edge industries for generations to come. And it will save American families money in the immediate future – including more than \$950 a year in gas savings from taking advantage of electric vehicles, and an additional \$500 a year from using clean electricity like solar and heat pumps to power their homes.

And, the President will issue a directive, authorizing the use of the Defense Production Act to secure American production of critical materials to bolster our clean energy economy by reducing our reliance on China and other countries for the minerals and materials that will power our clean energy future. Specifically, the DPA will be authorized to support the production and processing of minerals and materials used for large capacity batteries—such as lithium, nickel, cobalt, graphite, and manganese—and the Department of Defense will implement this authority using strong environmental, labor, community, and tribal consultation standards. The sectors supported by these large capacity batteries—transportation and the power sector—account for more than half of our nation's carbon emissions. The President is also reviewing potential further uses of DPA – in addition to minerals and materials – to secure safer, cleaner, and more resilient energy for America.

This week alone, President Biden announced historic efforts to increase energy efficiency and lower costs for consumers. The Department of Energy opened applications for more than \$3 billion in new Bipartisan Infrastructure Law funding—ten times the historical funding levels of the Weatherization Assistance Program—for **energy efficiency and electrification upgrades in thousands of homes that will save families hundreds of dollars on utility bills**. The Administration also advanced smart standards that will lower consumer costs, including a roadmap of 100 actions this year that will **save families \$100 annually through more efficient home appliances and equipment**, as well as **new fuel economy standards for cars and trucks to save drivers money at the pump**. And the Administration is seeking additional opportunities to ramp up the deployment of **heat pumps to displace fuel burned in buildings**, as well as programs to drive **efficiency, electrification, and use of clean fuels in the industrial sector**.

Energy TPs

- The President will be speaking this afternoon on the effect of Putin's Price Hike on gasoline prices on American families.
- Prices at the pump are up almost \$1/gallon since Vladimir Putin accelerated his military buildup.
- That's because Russian oil is coming off of the market. The United States banned the import of Russian oil –which Republicans and Democrats in Congress--called for and supported. It was the right thing to do.
- As the United States and others aren't buying Russian oil, supply is dropping and the price has increased.
- The President has said from the start that standing up to Putin's aggression would never be painless – but he is committed to doing everything he can to help American families.
- **That's why today, he is announcing a two-part plan to bring American families relief. Part one: immediately increase the supply of oil as a wartime bridge to greater domestic production. Part two: chart a path towards *real* American energy independence by accelerating the clean energy transition – so that we are no longer reliant on foreign oil. This is no longer in the distant future, it's within reach.**
- Starting with part one – immediately increasing supply. The fact is there is nothing standing in the way of domestic oil production, which is expected to increase by 1M b/d this year alone.
- U.S. oil companies that are recording their largest profits in years can put those profits to productive use. While some companies have already announced they are increasing immediate production, too many are choosing to make extraordinary profits without investing in more supply.
- That's why today, the President is proposing a use-it-or-lose-it policy to incentivize companies to produce more in the short term with the resources they already have.
 - Right now, the oil and gas industry is sitting on more than 9,000 unused but approved permits for production on federal lands and more than 12 million unused acres.
 - Congress should make companies pay fees on unused wells on federal lands and on acres of public land that they are sitting on without producing.
- But it takes months, not days, for that production to come online. We need a bridge to that supply. That's why the President is announcing a historic release of 1 million barrels a day for the next six months from the Strategic Petroleum Reserve.
 - This will immediately shore up global supplies.
 - These barrels will be a wartime bridge to additional U.S. production that we expect later this year.

- With revenues from the sale, we'll restock the reserve when prices are lower.
- This release is being coordinated with allies and partners around the world. Already, we have commitment. Together, our combined efforts will supply well over 1 million barrels per day to the market.
- These actions will increase our immediate supply and meet the immediate crisis. But the second part of President Biden's plan is to declare *real* American energy independence for the long term – so that Americans aren't subject to the kind of volatility in the oil market and at the pump that we now see due to Putin's actions.
- President Biden knows the path to true energy security depends on reducing our reliance on foreign oil – and the path to that energy security runs through clean energy.
- That's why President Biden is calling on Congress to pass his landmark plan to speed the transition to clean energy that is made in America.
 - Implementing President Biden's climate action plans would:
 - Save Americans more than \$900/year in gasoline from EV adoption
 - Save Americans \$500/year from using clean electricity to power homes
 - Create millions of good-paying union jobs
 - Together, these actions would move us towards freeing ourselves from dependence on oil outside of North America.
- President Biden isn't waiting on Congress to act. This week alone, the President is announcing that he will:
 - First, issue a directive authorizing the use of the Defense Production Act to secure American production of critical materials to bolster our clean energy economy by reducing our reliance on China and other countries for the minerals and materials that will power our future.
 - This will be done in a way that respects labor, the environment, communities, and Tribal nations.
 - Second, he will make \$3.2 billion available to states, Tribes, and territories for weatherization from the Bipartisan Infrastructure Law. That is ten times the historical funding levels -- to electrify homes and save families money on their energy bills.
 - Third, he is advancing strong energy standards that will lower consumer costs. That includes a taking 100 actions this year that will save families \$100 annually through more efficient home appliances and equipment.
 - It also includes finalizing new fuel economy standards for cars and trucks to save drivers money at the pump through more efficient vehicles. well as new fuel economy standards for cars and trucks to save drivers money at the pump.

- Combining more production here at home in the short run with less dependence on oil in the long run means more energy security.
- The President's plan will help ease the pain of gas prices today and safeguard against price hikes in the future – by delivering long-term energy independence once and for all.

Talking Points – DPA Title III Critical Minerals PD

- Tomorrow, the President will sign a Presidential Determination under the Defense Production Act, Title III, invoking the use of that authority to bolster our clean energy economy by finding that critical minerals and materials used for large-capacity batteries—such as lithium, nickel, cobalt, graphite, and manganese—are essential for the national defense.
- The President knows that the path to true energy security runs through clean energy, and he will be reviewing potential further uses of DPA – in addition to tomorrow’s step forward on minerals and materials – to secure safer, cleaner, and more resilient energy for America.
- Large-capacity batteries, like those used in electric vehicles and stationary energy storage (which facilitates accelerated deployment of technologies like solar and wind on our grid and in our homes), are essential to meeting our climate goals. Those two sectors—transportation and the power sector—account for more than half of our nation's carbon emissions.
- The PD will authorize contracts, grants, and other economic incentives to expand sustainable domestic production of these critical minerals and materials.
- The PD will support feasibility studies for mature domestic mining, beneficiation, and processing projects; co-product and by-product production; and modernization to increase productivity, environmental sustainability, and safety.
- Sustainable domestic production also includes secondary and unconventional sources—such as mine waste, coal ash, and geothermal brine — and recycling. These sources are key for meeting our domestic demand and reducing the need for new or expanded mining.
- As we break our dependence on foreign oil and natural gas and move to a clean energy economy, it is essential that we do not trade reliance on one unreliable and unsustainable source for another. China currently controls the global market for many of the key minerals and materials necessary for the clean energy transition. Russia produces nearly one-fifth of the high-grade nickel used in EV batteries.
- These minerals and materials are often mined and processed in ways that do not comport with our values on environmental sustainability, labor standards, community engagement, and consultation with Tribal Nations and Indigenous Peoples.
- The President believes that we can produce more of what we need here at home, and do so in a way that adheres to strong environmental, labor, and Tribal consultation standards.
- The President acknowledges the dirty legacy of mining in the United States. Too often, Tribal Nations, fenceline communities, and our natural treasures and resources have been harmed in the rush for profit. He knows that we cannot repeat these grievous practices.

- Nothing in this Presidential Determination will waive, supersede, expedite, or shortcut the permitting or environmental review process. Mining law on Federal lands is badly outdated—150 years old this year.
- The President has put forward fundamental principles for mining law and regulatory reform to strengthen, modernize and clarify the permitting and environmental review process, including for critical minerals. We look forward to working with bipartisan members of Congress to advance these discussions and make badly-needed reforms to these laws.
- The Department of Defense will implement this Determination with the Department of the Interior and Department of Energy to ensure that any projects financed by the Defense Production Act are consistent with the values and principles the Administration has put forward.
- This Presidential Determination is also specifically tailored to critical minerals and materials that are needed for large-scale battery production and that have significant supply risks. Copper and uranium, for example, are not within the scope of this Presidential determination.

Hard Q&A

What minerals are actually included here?

- The focus here is on critical minerals and materials used for large capacity batteries, such as those used in electric vehicles and stationary grid storage.
- These include lithium, nickel, cobalt, graphite, and manganese.
- Minerals like copper and uranium are NOT in scope for this Presidential Determination.

Why is this important for our climate goals?

- The large capacity batteries that this action is directed toward are used in electric vehicles and stationary energy storage (which facilitates accelerated deployment of technologies like solar and wind on our grid and in our homes).
- These two sectors alone – transportation and power – account for more than half of U.S. carbon emissions. Progress here can make a big difference.

Will the DPA funds actually direct the mining of critical minerals and materials?

- This Presidential Determination will authorize contracts, grants, and other economic incentives to expand sustainable domestic production of these critical minerals and materials.
- The PD will support a range of methods for producing critical minerals (mining, innovative sources like geothermal brine and mine tailings, and recycling) and

modernizations to increase productivity, environmental sustainability, and safety, as well as supporting processing activities.

What about the environment and environmental justice concerns? Or the rights of Tribal nations? Labor protections?

- The President believes that we can produce more of what we need here at home, and we must do so in a way that adheres to strong environmental, labor, community, and Tribal consultation standards.
- Nothing in this Presidential Determination will waive, supersede, expedite, or shortcut the permitting or environmental review process.
- Furthermore, the President has put forward fundamental principles for mining law and regulatory reform to strengthen, modernize and clarify the permitting and environmental review process, including for critical minerals.
- We look forward to working with bipartisan members of Congress to advance these discussions and make badly-needed reforms to these laws.

How will the Administration ensure these standards are met?

- DOD will work with interagency partners, including the Department of the Interior and the Department of Energy, to implement this PD and ensure we are keeping the President's commitment to ensure that projects funded are in line with the values he's articulated.
- We currently rely on unreliable and unsustainable foreign supply chains for many of the critical minerals and materials necessary for the clean energy transition.
- The U.S. can play a role as a global leader and lift sustainability standards globally by setting and meeting strong standards here at home.

What funds will be used for mining projects? When will awards be made?

- Today's Determination is just the first step in the Defense Production Act process.
- DOD will develop an acquisition strategy with non-defense agency partners, like DOI and DOE, and provide additional updates as those contracting opportunities are made available.
- Mining and mineral processing projects are large, complex, and lengthy undertakings, and so the solution needs to be patient, strategic, and long-term.
- There are no funding announcements or budgeting decisions to announce today.
- *(For Hill)* DOD is looking forward to discussing the resourcing requirements for this PD with their oversight committees in Congress and other interested parties on the Hill.

What is meant by co-product or by-product production?

- Production can be accelerated by drawing on secondary and non-traditional extraction opportunities, such as recovering critical minerals from mine waste and tailings or extraction of lithium from geothermal brines.
- These opportunities can reduce the need for new, capital-intensive operations and can use existing facilities, permits, and resources to expand production with minimal expanded footprint.
- *(if pushed)* This is not about funding mines with trace elements of critical minerals as by-products.

Message

From: Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]
Sent: 3/31/2022 3:11:24 PM
To: Utech, Dan [Utech.Dan@epa.gov]
Subject: Fwd: TPs on POTUS Energy Announcements
Attachments: Updated Energy Fact Sheet 3.31.22 FINAL.pdf

Sent from my iPhone

Begin forwarded message:

From: "Hill, Matt D. EOP/WHO" <Ex. 6>
Date: March 31, 2022 at 5:00:06 PM GMT+2
To: Matthew Hill <Ex. 6>
Cc: "Berner, Kate K. EOP/WHO" <Ex. 6>, "Tobar, Pili D. EOP/WHO" <Ex. 6>, Vedant Patel <Ex. 6>, "Simons, Emilie R. EOP/WHO" <Ex. 6>, "Sharma, Saloni EOP/NSC" <Ex. 6>, "Lee, Jesse C. EOP/WHO" <Ex. 6>, "Brann, Khanya E. EOP/WHO" <Ex. 6>
Subject: TPs on POTUS Energy Announcements

Hi Cabinet Comms Teams – making sure you all have the fact sheet and TPs on today's energy announcements ahead of POTUS remarks at 1:30 PM ET. Let us know any questions. Thanks!

FACT SHEET: PRESIDENT BIDEN'S PLAN TO RESPOND TO PUTIN'S PRICE HIKE AT THE PUMP

<https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/31/fact-sheet-president-bidens-plan-to-respond-to-putins-price-hike-at-the-pump/>

Talking Points

- Today the President will deliver remarks on the effect of Putin's Price Hike on gasoline prices for American families.
- Prices at the pump are up \$1/gallon since Vladimir Putin accelerated his military buildup. As President Biden has made clear, standing up to Putin's aggression would never be painless – but the President is committed to doing everything in his power to help American families feeling pain at the pump.
- **That's why today, President Biden is announcing a two part plan to bring American families relief.**
- **Part one: President Biden is announcing a historic release from the Strategic Petroleum Reserve – 1M barrels/day for six months - to immediately increase the supply of oil as a wartime bridge to greater domestic production.**
 - These barrels will be a wartime bridge to additional U.S. production, and will immediately shore up global supplies – and we are working to have other countries join us.

- **Today, the President is calling on U.S. producers to put patriotism over profits and produce more in the short-term with the resources they already have, and he is proposing a use-it-or-lose-it policy to incentivize that production.**
 - Many oil and gas companies are doing the right thing by ramping up production, but too many are choosing to make extraordinary profits without investing in more supply. Right now, the oil and gas industry is sitting on 12 million acres of non-producing federal land and approximately 9,000 approved but unused permits.
 - Under the President’s plan, companies that sit on unused leases and idle wells on federal land would need to produce or pay a fee.
- **Part two: President Biden will chart a path towards *real* American energy independence by accelerating the clean energy transition – so that we are no longer reliant on foreign oil.**
 - President Biden is calling on Congress to pass his landmark plan to speed the transition to clean energy that is made in America. Implementing President Biden’s climate action plans would save Americans more than \$900/year in gasoline from EV adoption, save Americans \$500/year from using clean electricity to power homes and create millions of good-paying union jobs
 - But the President isn’t waiting on Congress to act. This week alone, the President is announcing:
 - **He will use DPA authority to secure American production of critical materials necessary for clean energy here at home** which will help end our long-term reliance on China and other countries for these minerals/materials while respecting labor, the environment, and Tribal nations
 - Allocate \$3.2 billion to states for weatherization from the Bipartisan Infrastructure Law – ten times the historical funding levels
 - Propose strong energy efficiency standards that will save consumers hundreds of dollars in lower energy costs

###

Matt Hill
 Senior Associate Communications Director
 The White House

Ex. 6

Message

From: Lucey, John [Lucey.John.D@epa.gov]
Sent: 4/2/2022 5:16:05 PM
To: Utech, Dan [Utech.Dan@epa.gov]
CC: Cassidy, Alison [Cassady.Alison@epa.gov]
Subject: FW: Da Book
Attachments: Updated Energy Fact Sheet 3.31.22 FINAL.pdf; Budget Prep 2-pager - Other - Critical Minerals.docx; TOUGH Questions and Answers 2022.03.31.docx; FY23 Budget Hearing - EPW Memo - REPS - 2022-3-30 REVISED.docx; Budget Prep 2-pager - OAR non-climate - SRE.docx

Dan – Welcome back! Hope it was a great trip. Sorry, should've CC'd you on all of the attached. These were added to the Administrator's book yesterday.

From: Lucey, John
Sent: Friday, April 1, 2022 12:18 PM
To: Morgan, Ashley <Morgan.Ashley.M@epa.gov>; O'Brien, Grant <OBrien.Grant@epa.gov>
Subject: Da Book

Attached.

John Lucey
Special Assistant to the Administrator
U.S. Environmental Protection Agency
lucey.john.d@epa.gov
Cell: (202) 941-1112

America's Supply Chain/Critical Minerals

TALKING POINTS

- Critical minerals provide the building blocks for clean energy technologies like batteries, electric vehicles, and solar panels needed to combat climate change.
- As we break our dependence on foreign oil and natural gas and move to a clean energy economy, it is essential that we do not trade reliance on one unreliable and unsustainable source for another.
- The President believes that we can produce more of what we need here at home and do so in a way that adheres to strong environmental, labor, and Tribal consultation standards.
- The President acknowledges the dirty legacy of mining in the United States. Too often, Tribal Nations, fenceline communities, and our natural treasures and resources have been harmed in the rush for profit. He knows that we cannot repeat these grievous practices.
- EPA is participating in the Department of the Interior's Interagency Working Group (IWG) on mining reform to ensure that domestic mining meets strong environmental, community, and tribal engagement standards while improving efficiency of the permitting process.
- EPA also is working on domestic recycling of batteries and electronics. Recycling can recover critical minerals and reduce U.S. reliance on foreign sources, protect human health and the environment, and decrease greenhouse gas emissions relative to manufacturing with new materials.

BACKGROUND

- On February 24, 2021, President Biden issued E.O. 14017, "America's Supply Chains," directing the government to review critical U.S. supply chains to identify risks, address vulnerabilities, and develop strategies to strengthen resilience.
- In June 2021, the Biden-Harris Administration issued a supply chain assessment that found our over-reliance on foreign sources and adversarial nations for critical minerals and materials posed national and economic security threats. In addition to working with partners and allies to diversify sustainable sources, the reports recommended expanding domestic mining, production, processing, and recycling of critical minerals and materials—all with a focus on strong labor, environmental and environmental justice, community engagement, and Tribal consultation standards.
- This year, the Mining Law of 1872 turns 150 and is overdue for an update. EPA is participating in a recently announced DOI-led Interagency Working Group (IWG) on reforming hardrock mining laws, regulations and permitting policies. The IWG released the Administration Fundamental Principles on Mining Reform in February 2022.
- On February 24, 2022, the White House announced actions to rebuild America's supply chains, including investing in sustainable domestic production and processing of critical minerals.

- On March 31, 2022, President Biden announced plans to authorize use of the Defense Production Act (DPA) to secure domestic production of critical materials. The DPA will support production and processing of minerals used for large capacity batteries such as lithium, nickel, cobalt, graphite, and manganese.

KEY EPA ACTIONS

- EPA established a Supply Chain/Critical Minerals Working Group to respond to E.O. 14017 with Office of Policy as the lead office and participants from the national program offices, regions, and EPA's National Mining Team.
- For battery recycling, the Bipartisan Infrastructure Law provided EPA with funds for fiscal year 2022, to remain available until September 30, 2026:
 - o \$10 million for EPA to develop best practices for State, Tribal, and local governments for collection of batteries for recycling; and
 - o \$15 million for EPA to develop a voluntary labelling program for batteries and other communication materials for battery producers and consumers about reuse and recycling of critical materials from batteries.
- EPA has begun work authorized under the Bipartisan Infrastructure Law to develop best practices for the collection of batteries to be recycled and voluntary battery labeling guidelines.
 - o The Office of Land and Emergency Management anticipates publishing a Request for Information at the end of April 2022 requesting input to inform the scope of battery collection best practices, voluntary labeling guidelines, and communication materials for battery producers and consumers about the reuse and recycling of critical minerals from batteries. EPA also plans listening sessions over the next several months for stakeholders in battery reuse and recycling.
- OLEM also coordinates with other agencies on issues related to remining and recovery of critical minerals from mine wastes through the Federal Mining Dialogue.

BUDGET

For battery recycling, the Bipartisan Infrastructure Law provided EPA with funds for fiscal year 2022, to remain available until September 30, 2026:

- \$10 million for EPA to develop best practices for State, Tribal, and local governments for collection of batteries for recycling.
- \$15 million for EPA to develop a voluntary labelling program for batteries and other communication materials for battery producers and consumers about reuse and recycling of critical materials from batteries.

Message

From: Jackson, Ryan [RJackson@nma.org]
Sent: 4/8/2022 2:05:00 PM
To: Regan, Michael [Regan.Michael@epa.gov]
CC: Utech, Dan [Utech.Dan@epa.gov]; morgan.ashley@epa.gov; Lance, Kathleen [Lance.Kathleen@epa.gov]
Subject: National Mining Association invitation
Attachments: ATT00001.txt; NMA Board Speaker Invitation for Michael Regan 050322.pdf

Administrator Regan, I wanted to extend an invitation for you to speak to our NMA board of directors in about a month appearing in person or virtually. Attached is an invitation letter on dates, times, and logistics. The initiatives and rulemakings at the EPA have a tremendous influence on a variety of industries, the domestic mining industry certainly included. We appreciate the opportunity to work with you on a variety of issues. Should your staff have questions concerning the invitation, please direct them to me and I will be glad to help further.

Thank you for the consideration,

Ryan Jackson



Ryan Jackson
Senior Vice President for Government and Political Affairs
National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Phone: (202) 679-1469
rjackson@nma.org



RICH NOLAN
President & CEO

April 4, 2022

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20004

Dear Administrator Regan:

The National Mining Association's (NMA) over 250 members are producers of most of America's metals, coal, and industrial and agricultural minerals; manufacturers of mining and mineral processing machinery and supplies; transporters; equipment manufacturers; financial and engineering firms; and other businesses related to mining.

We have appreciated working with the Biden administration on issues important to sustainable domestic resource production and secure supply chains through legislative work like the bipartisan infrastructure act and now the bipartisan innovation act and administrative work like the new Interagency Working Group and the new and unique opportunities through the Defense Production Act. We look forward to the opportunity to continue to work with you on a variety of matters affecting our member companies and industry. The U.S. mining industry is an ever increasingly crucial part of a vibrant economy —providing the raw materials for downstream industries, creating jobs, spurring innovation, providing reliable energy and supporting national security. There are significant opportunities to work with the Environmental Protection Agency contributing to a variety rulemakings and affecting the day to day operations and future planning for the domestic mining industry.

To that end, we would like to extend an invitation to you to speak at our semi-annual Board of Directors meeting to be held on Tuesday and Wednesday, May 3-4, 2022, in Sarasota, Florida. You are welcome to participate in person, but we also have the option of participating virtually. We would invite you to speak to our general session held from 10:45 to 11:45am Eastern time on May 3 or provide remarks to our second general session day starting at 8:30am Eastern time May 4. We thank you in advance for your consideration of our request and hope your schedule will permit you to give remarks, followed by a short question period.

Please advise if there is anything NMA can do to assist you and your staff to make appropriate arrangements by contacting Ryan Jackson, NMA's Senior Vice President of Government Affairs, at (202) 679-1469 or rjackson@nma.org.

Sincerely,

Rich Nolan

Message

From: Hoffer, Melissa [Hoffer.Melissa@epa.gov]
Sent: 4/11/2022 4:47:15 PM
To: Utech, Dan [Utech.Dan@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]
Subject: FW: new version for you to edit
Attachments: Biofuels Fact Sheet 4.10.22 7pm jgmah.docx

Importance: High

From: Hoffer, Melissa
Sent: Monday, April 11, 2022 10:35 AM
To: Utech, Dan <Utech.Dan@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Subject: RE: new version for you to edit
Importance: High

My edits attached here.

Ex. 5 Deliberative Process (DP)

Thanks.

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Monday, April 11, 2022 9:51 AM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Subject: new version for you to edit

Joe —

Ex. 5 Deliberative Process (DP)

Thanks.

Message

From: Goffman, Joseph [Goffman.Joseph@epa.gov]
Sent: 4/11/2022 10:16:06 PM
To: Dunham, Sarah [Dunham.Sarah@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]
CC: Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Conger, Nick [Conger.Nick@epa.gov]
Subject: FW: fact sheet
Attachments: Using Homegrown Biofuels to Address Putin's Price Hike at the Pump and Lower Costs for American Families.pdf

Sarah/Byron: Looks like this is the "locked" WH Fact Sheet. This is what we have to work with in terms of conforming/finalizing our Desk Statement and Q and A. Thanks.

Joseph Goffman
Principal Deputy Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency

From: Hansmann, Lisa S. EOP/WHO [Ex. 6]
Sent: Monday, April 11, 2022 6:13 PM
To: Kamin, David C. EOP/WHO [Ex. 6]; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Berner, Kate K. EOP/WHO [Ex. 6]; Utech, Dan <Utech.Dan@epa.gov>; Viswanathan, Vivek EOP/WHO [Ex. 6]; Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; English, Leandra EOP/WHO [Ex. 6]; Thomas, Maggie M. EOP/WHO [Ex. 6]; Ali Zaidi [Ex. 6]; Ceronsky, Megan M. EOP/WHO [Ex. 6]
Subject: RE: fact sheet

Thank you all again for the quick turnaround. Attached is the latest fact sheet shared on background – not being released until tomorrow at 5AM. Many thanks to you all for the feedback and input over the course of the day!

Lisa

From: Kamin, David C. EOP/WHO
Sent: Monday, April 11, 2022 5:14 PM
To: Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Hansmann, Lisa S. EOP/WHO [Ex. 6]; Berner, Kate K. EOP/WHO [Ex. 6]; Utech, Dan <Utech.Dan@epa.gov>; Viswanathan, Vivek EOP/WHO [Ex. 6]; Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; English, Leandra EOP/WHO [Ex. 6]; Thomas, Maggie M. EOP/WHO [Ex. 6]; Zaidi, Ali A. EOP/WHO [Ex. 6]; Ceronsky, Megan M. EOP/WHO [Ex. 6]
Subject: RE: fact sheet

Ex. 5 Deliberative Process (DP)

From: Hoffer, Melissa <Hoffer.Melissa@epa.gov>
Sent: Monday, April 11, 2022 5:13 PM

To: Hansmann, Lisa S. EOP/WHO <[Ex. 6]>; Berner, Kate K. EOP/WHO
[Ex. 6]; Utech, Dan <Utech.Dan@epa.gov>; Kamin, David C. EOP/WHO
[Ex. 6]; Viswanathan, Vivek EOP/WHO <[Ex. 6]>; Goffman, Joseph
<Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Cc: Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; English, Leandra EOP/WHO <[Ex. 6]>
Thomas, Maggie M. EOP/WHO <[Ex. 6]>; Zaidi, Ali A. EOP/WHO <[Ex. 6]>;
Ceronsky, Megan M. EOP/WHO <[Ex. 6]>
Subject: RE: fact sheet

Ex. 5 Deliberative Process (DP)

From: Hansmann, Lisa S. EOP/WHO <[Ex. 6]>
Sent: Monday, April 11, 2022 4:48 PM
To: Berner, Kate K. EOP/WHO <[Ex. 6]>; Utech, Dan <Utech.Dan@epa.gov>; Kamin, David C.
EOP/WHO <[Ex. 6]>; Viswanathan, Vivek EOP/WHO <[Ex. 6]>
Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Cc: Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; English, Leandra
EOP/WHO <[Ex. 6]>; Thomas, Maggie M. EOP/WHO <[Ex. 6]>; Ali
Zaidi <[Ex. 6]>; Ceronsky, Megan M. EOP/WHO <[Ex. 6]>
Subject: RE: fact sheet

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Many thanks!

From: Berner, Kate K. EOP/WHO
Sent: Monday, April 11, 2022 4:03 PM
To: Utech, Dan <Utech.Dan@epa.gov>; Hansmann, Lisa S. EOP/WHO <[Ex. 6]>; Kamin, David C.
EOP/WHO <[Ex. 6]>; Viswanathan, Vivek EOP/WHO <[Ex. 6]>
Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Cc: Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; English, Leandra
EOP/WHO <[Ex. 6]>; Thomas, Maggie M. EOP/WHO <[Ex. 6]>; Zaidi,
Ali A. EOP/WHO <[Ex. 6]>
Subject: RE: fact sheet

5 AM – thanks!

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Monday, April 11, 2022 4:00 PM
To: Hansmann, Lisa S. EOP/WHO <Ex. 6>; Kamin, David C. EOP/WHO <Ex. 6>; Viswanathan, Vivek EOP/WHO <Ex. 6>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Cc: Berner, Kate K. EOP/WHO <Ex. 6>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; English, Leandra EOP/WHO <Ex. 6>; Thomas, Maggie M. EOP/WHO <Ex. 6>; Zaidi, Ali A. EOP/WHO <Ex. 6>
Subject: RE: fact sheet

When will the embargo lift tomorrow? Thanks.

From: Hansmann, Lisa S. EOP/WHO <Ex. 6>
Sent: Monday, April 11, 2022 2:06 PM
To: Kamin, David C. EOP/WHO <Ex. 6>; Viswanathan, Vivek EOP/WHO <Ex. 6>; Utech, Dan <Utech.Dan@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>
Cc: Berner, Kate K. EOP/WHO <Ex. 6>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; English, Leandra EOP/WHO <Ex. 6>; Thomas, Maggie M. EOP/WHO <Ex. 6>; Ali Zaidi <Ex. 6>
Subject: RE: fact sheet

Hi all, **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) Thanks again,
Lisa

From: Kamin, David C. EOP/WHO
Sent: Monday, April 11, 2022 1:01 PM
To: Hansmann, Lisa S. EOP/WHO <Ex. 6>; Viswanathan, Vivek EOP/WHO <Ex. 6>
Cc: Berner, Kate K. EOP/WHO <Ex. 6>
Subject: FW: fact sheet

From: Utech, Dan <Utech.Dan@epa.gov>
Sent: Monday, April 11, 2022 12:59 PM
To: Kamin, David C. EOP/WHO <Ex. 6>; Berner, Kate K. EOP/WHO <Ex. 6>; Zaidi, Ali A. EOP/WHO <Ex. 6>
Cc: Goffman, Joseph <Goffman.Joseph@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>
Subject: fact sheet

Thanks for the opportunity to review. **Ex. 5 Deliberative Process (DP)**

Message

From: Ex. 6- Michael Regan
Sent: 4/12/2022 12:47:18 AM
To: Utech, Dan [Utech.Dan@epa.gov]
Subject: Re: FYI
Attachments: Using Homegrown Biofuels to Address Putin's Price Hike at the Pump and Lower Costs for American Families.pdf

Thank you Dan ... and thank you for the earlier conversation.

Sent from my iPhone

On Apr 11, 2022, at 7:40 PM, Utech, Dan <Utech.Dan@epa.gov> wrote:

Final WH fact sheet. Embargo lifts 5 am tomorrow. Let me know if you have questions.

Message

From: Jackson, Ryan [RJackson@nma.org]
Sent: 4/22/2022 4:46:44 PM
To: Lance, Kathleen [Lance.Kathleen@epa.gov]
CC: Utech, Dan [Utech.Dan@epa.gov]; Morgan, Ashley [Morgan.Ashley.M@epa.gov]
Subject: RE: National Mining Association invitation
Attachments: NMA Board Speaker Invitation for Michael Regan 050322.pdf

Good afternoon. I just wanted to follow up on the attached invitation. We have a spot open on our program the morning of Wednesday May 4 at 8:30am for the Administrator to provide remarks to a breakfast meeting of our organization.

Thanks for the consideration.

Ryan.

From: Lance, Kathleen <Lance.Kathleen@epa.gov>
Sent: Friday, April 8, 2022 6:27 PM
To: Jackson, Ryan <RJackson@nma.org>
Cc: Utech, Dan <Utech.Dan@epa.gov>; Morgan, Ashley <Morgan.Ashley.M@epa.gov>
Subject: RE: National Mining Association invitation

Thank you, Ryan. We will follow-up with any questions.

Kindly,

Kathleen C. Lance
Director of Scheduling and Advance
U.S. Environmental Protection Agency
Cell: (202) 941-1109

From: Jackson, Ryan <RJackson@nma.org>
Sent: Friday, April 8, 2022 10:05 AM
To: Regan, Michael <Regan.Michael@epa.gov>
Cc: Utech, Dan <Utech.Dan@epa.gov>; morgan.ashley@epa.gov; Lance, Kathleen <Lance.Kathleen@epa.gov>
Subject: National Mining Association invitation

Administrator Regan, I wanted to extend an invitation for you to speak to our NMA board of directors in about a month appearing in person or virtually. Attached is an invitation letter on dates, times, and logistics. The initiatives and rulemakings at the EPA have a tremendous influence on a variety of industries, the domestic mining industry certainly included. We appreciate the opportunity to work with you on a variety of issues. Should your staff have questions concerning the invitation, please direct them to me and I will be glad to help further.

Thank you for the consideration,

Ryan Jackson

Ryan Jackson
Senior Vice President for Government and Political Affairs



National Mining Association
101 Constitution Ave. NW, Suite 500 East
Washington, D.C. 20001
Phone: (202) 679-1469

rjackson@nma.org

Caution: This is an external email. Please take care when clicking links or opening attachments. When in doubt, contact NMA's Director of IT.

Message

From: MBX OMB Executive Orders [Ex. 6]
Sent: 3/24/2022 1:44:00 AM
To: MBX OMB Executive Orders [Ex. 6]
CC: Bagenstos, Samuel R. EOP/OMB [Ex. 6]; Garg, Arpit K. EOP/OMB [Ex. 6]; Walsh, Heather V. EOP/OMB [Ex. 6]; Scheinman, Sarah R. EOP/OMB [Ex. 6]; Upadhyaya, Shraddha A. EOP/OMB [Ex. 6]; Amos, Michaela J. EOP/OMB [Ex. 6]
Subject: For Review, By 5pm 3/24, Defense Production Act PM -- Critical Minerals (Predecisional; Do Not Disclose)
Attachments: EA Circulation List -- Defense Production Act PM -- Critical Minerals -- March 23 2022.docx; TAB B_Presidential Determination Minerals Production 3.23 pm clean formatted.docx

Dear Colleagues,

Ex. 5 Deliberative Process (DP)/ Ex.6

Best,
Arpit

Arpit Garg
Deputy General Counsel
Office of Management and Budget

Ex. 6

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Ryan, Evan M. EOP/WHO
Sent: 3/31/2022 4:47:51 PM
To: Ryan, Evan M. EOP/WHO
CC: DL EOP Cabinet Affairs
Subject: Talking Points on POTUS' Energy Announcement
Attachments: Updated Energy Fact Sheet 3.31.22 FINAL.pdf

Ex. 6

Ex. 6

Ex. 6

Cabinet Members,

Please see attached and below a fact sheet and topline talking points for the President's energy announcement.

Feel free to reach out with any questions.

Best,
Evan

TOPLINE TALKING POINTS

- Today the President will deliver remarks on the effect of Putin's Price Hike on gasoline prices for American families.
- Prices at the pump are up \$1/gallon since Vladimir Putin accelerated his military buildup. As President Biden has made clear, standing up to Putin's aggression would never be painless – but the President is committed to doing everything in his power to help American families feeling pain at the pump.
- **That's why today, President Biden is announcing a two part plan to bring American families relief.**
- **Part one: President Biden is announcing a historic release from the Strategic Petroleum Reserve – 1M barrels/day for six months - to immediately increase the supply of oil as a wartime bridge to greater domestic production.**
 - These barrels will be a wartime bridge to additional U.S. production, and will immediately shore up global supplies – and we are working to have other countries join us.
- **Today, the President is calling on U.S. producers to put patriotism over profits and produce more in the short-term with the resources they already have, and he is proposing a use-it-or-lose-it policy to incentivize that production.**
 - Many oil and gas companies are doing the right thing by ramping up production, but too many are choosing to make extraordinary profits without investing in more supply. Right now, the oil and gas industry is sitting on 12 million acres of non-producing federal land and approximately 9,000 approved but unused permits.
 - Under the President's plan, companies that sit on unused leases and idle wells on federal land would need to produce or pay a fee.
- **Part two: President Biden will chart a path towards *real* American energy independence by accelerating the clean energy transition – so that we are no longer reliant on foreign oil.**
 - President Biden is calling on Congress to pass his landmark plan to speed the transition to clean energy that is made in America. Implementing President Biden's climate action

plans would save Americans more than \$900/year in gasoline from EV adoption, save Americans \$500/year from using clean electricity to power homes and create millions of good-paying union jobs

- But the President isn't waiting on Congress to act. This week alone, the President is announcing:
 - **He will use DPA authority to secure American production of critical materials necessary for clean energy here at home** which will help end our long-term reliance on China and other countries for these minerals/materials while respecting labor, the environment, and Tribal nations
 - Allocate \$3.2 billion to states for weatherization from the Bipartisan Infrastructure Law – ten times the historical funding levels
 - Propose strong energy efficiency standards that will save consumers hundreds of dollars in lower energy costs

Evan Ryan
Cabinet Secretary
The White House

Ex. 6